

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES

v.

CRIMINAL NO. 1:24-CR-42

STEVEN DAVID SEEGER,

Defendant.

**DEFENDANT’S MEMORANDUM IN SUPPORT
OF REQUEST FOR DOWNWARD VARIANCE**

When the troopers came to the defendant’s residence in Preston County on March 29, 2021, and illegally seized all his communicative devices, they caught him completely off guard. As a result, the government knows exactly what Mr. Seeger has been doing for the past several years. From that comprehensive forensic dissection of the defendant’s world, the government was able to confirm each of the following facts which the defendant respectfully submits to be mitigating factors at the sentencing phase of this case.

1. The defendant never met in person with JD1, JD2, or any other alleged victim for that matter, during their infancy.

2. As the government readily concedes, the defendant did not share nor distribute, in any manner, any of the images or videos obtained from any alleged victim in this case, or otherwise.

3. Maybe most importantly, the defendant has not engaged in the same or similar conduct as alleged in the Indictment in this case for more than ten (10) years. This fact alone renders the likelihood of recidivism for Mr. Seeger much more remote.

During a period in the defendant’s life when he was suffering from severe depression, he turned to a couple of “chat room” web sites for social interaction. Specifically, these sites were KIK and Omegle. Though these platforms are frequented primarily by adults, they did not effectively prevent entry of under-aged individuals. The way the chat rooms operated was by utilization of a “keyword” algorithm to match individuals with the same or similar interests.

Here, as a forensic analysis of the defendant's devices would confirm, Mr. Seeger was never trolling any platform for under-aged individuals to communicate with, but rather others who shared a curiosity or fascination with exotic sexual predilections. The "keywords" that were used by the defendant were *bondage*, *BDSM*, and *role play*. There were never any keywords used that referenced age in any manner. So, neither JD1, JD2, nor anyone else ever connected with Steven Seeger without using the same or similar "keyword". This fact is confirmed by the platform when the parties originally connect.

Mr. Seeger has been fortunate to be able to receive ample, effective treatment over the years for his depression. This allowed the defendant, a very bright but socially awkward person, to acquire a full understanding of the etiology of his chat room conduct and to also take those steps internally that were necessary to subdue and foreclose any future interest in the same behavior.

The defendant's conduct in this case is, without question, reprehensible. It is deserving of punishment. However, the irrefutable evidence secured by the government in this case would suggest that the legitimate sentencing purposes of deterrence and protection of the public should not predominate the Court's consideration here. For those reasons and the others cited hereinabove, the defendant respectfully submits that a sentence beyond the mandatory minimum term of fifteen (15) years would be Constitutionally excessive, and thus a downward variance to that number is hereby requested.

Dated this 15th day of September, 2025.

Respectfully submitted,

/s/Thomas G. Dyer
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CERTIFICATE OF SERVICE

I, Thomas G. Dyer, hereby certify that on September 15, 2025, I electronically filed **Defendant's Memorandum in Support of Request for Downward Variance** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/Thomas G. Dyer

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